

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

SEVERIANO MARTINEZ and  
JOSE ZACARIAS,  
*on behalf of themselves and  
FLSA Collective Plaintiffs,*

Plaintiffs,

v.

JOSHES NOSHES, INC. d/b/a  
EISENBERG'S SANDWICH SHOP and  
JOSHUA KONECKY,

Defendants.

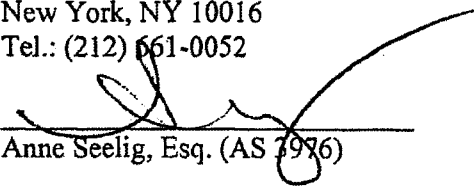
Case No.: 16-cv-8175 (ALC)

**NOTICE OF DISMISSAL  
PURSUANT TO FRCP  
41(a)(1)(A)(i)**

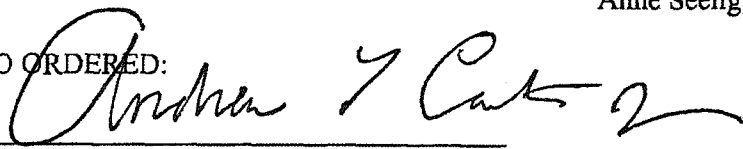
**PLEASE TAKE NOTICE** that the claims of Plaintiffs, SEVERIANO MARTINEZ and JOSE ZACARIAS, are hereby dismissed without prejudice, in their entirety, as against the Defendants, JOSHES NOSHES, INC. d/b/a EISENBERG'S SANDWICH SHOP and JOSHUA KONECKY, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), without costs or attorneys' fees to any party.

Dated: February 21, 2017  
New York, New York

Lee Litigation Group, PLLC  
30 East 39<sup>th</sup> Street, Second Floor  
New York, NY 10016  
Tel.: (212) 661-0052

  
Anne Seelig, Esq. (AS 1976)

SO ORDERED:

  
U.S.D.J.  
2/22/2017

JS